

# United States District Court

EASTERN DISTRICT OF WISCONSIN

## JUDGMENT IN A CIVIL CASE

**IRA R. BANKS,**

Plaintiff,

v.

CASE NUMBER: **03-C-811**

**GRAY & END, L.L.P.;  
THE CHASE MANHATTAN BANK,  
as Trustee of IMC Home Equity Loan  
Trust 1997-4 Under the Pooling and  
Servicing Agreement Dated as of August 1, 1997; and  
BNC MORTGAGE, INC.;**

Defendants.

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the motion of defendant Gray and End, L.L.C. for summary judgment that it did not violate the Fair Debt Collection Practices Act by stating it could commence foreclosure proceedings less than 30 days after it sent the Plaintiff written notice of his default is Granted.

The motion of defendants The Chase Manhattan Bank and BNC Mortgage, Inc. for summary judgment that they did not provide the Plaintiff with inconsistent information regarding his mortgage is Granted. Plaintiff's claims are time barred.

**Plaintiff's motion for default judgment against The Chase Manhattan Bank is Denied.  
Plaintiff has not met his burden of demonstrating that he ever properly served The  
Chase Manhattan Bank.**

**This action is hereby DISMISSED.**

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**September 8, 2005**  
Date

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**SOFRON B. NEDILSKY**  
Clerk

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s/ Linda M. Zik  
(By) Deputy Clerk